

AMERICAN FORK CITY COUNCIL
MARCH 29, 2016
REGULAR SESSION MINUTES

Members Present:

James H. Hadfield	Mayor
Kevin Barnes	Councilman
Carlton Bowen	Councilman
Rob Shelton	Councilman
Jeff Shorter	Councilman

Members Absent:

Brad Frost	Councilman
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Staff Present:

Craig Whitehead	City Administrator
Camden Bird	Administrative Management Analyst
Ray Garrett	Cemetery Sexton
Richard Colborn	City Recorder
Terilyn Lurker	Deputy Recorder
Nestor Gallo	Engineer
Cathy Jensen	Finance Officer
Kriss Garcia	Fire Chief
George Schade	IT Director
Kasey Wright	Legal Counsel
Collen Eggett	Library Director
Derric Rykert	Parks and Recreation Director
Lance Call	Police Chief
Audra Sorensen	Public Relations/Economic Development Director
Dale Goodman	Public Works Director
Adam Olsen	Senior Planner
Wendelin Knobloch	Associate Planner

Also present: Nyla Colborn, John Woffinden, Nadine Milham and family, Lela Bartholomew, Grant Breckwith, Matthew Blackburn, Cathy Allred, Ernie John, Dale Gunther, Pam Helmandollar, John Miller, Daniel Copper and approximately ten additional citizens.

REGULAR SESSION

The American Fork City Council met in special session on **Tuesday, March 29, 2016 in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m.**

1. PLEDGE OF ALLEGIANCE; PRAYER BY GEORGE SCHADE; ROLL CALL.

Mayor Hadfield welcomed everyone to the City Council Meeting. Those present recited the Pledge of Allegiance and George Schade offered a prayer.

Mayor Hadfield asked the scout present to introduce himself.

Troop 1184: Bryce Blackwell

2. TWENTY-MINUTE PUBLIC COMMENT PERIOD - LIMITED TO TWO MINUTES PER PERSON.

Lela Bartholomew, the Executive Director of the Timpanogos Arts Foundation, thanked the Mayor, City Council, and PARC Committee for their consideration on the funding for their organization. They could not do this without them. She reported that last year the volunteers put in over 16,000 hours in helping out the various groups of the foundation; if they multiplied that out by \$7.25 an hour it was well over \$100,000.

Mayor Hadfield stated that the Arts in the community was strong and vibrant and added a quality of life for residents and he thanked the volunteers for their efforts. He thanked the PARC Tax Committee members and the citizens for approving the PARC tax. In April they started collecting the revenue from that tax and they would be allocating those funds tonight. They would see great things from this sales tax.

3. CITY ADMINISTRATOR'S REPORT

Craig Whitehead reported that American Fork City received national recognition in the magazine *Trenchless Technology*. There was an article on the City's infiltration project they have been working on for the last several years. This technology has saved the City hundreds of thousands of dollars in sewer fees.

Mr. Whitehead was pleased to announce Officer Diego Garcia received the "Officer of the Year" Award from the Utah Police Chiefs Association. Officer Garcia was recognized for his handling of an attempted suicide; he followed up on a hunch to find out where the person was and to call in for assistance from the Lehi Fire Department.

Mr. Whitehead congratulated City Recorder Richard Colborn on his upcoming retirement and commented that he appreciated working with him.

4. COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

Councilman Barnes reported he met with the cemetery committee and they were underway in planning for the Memorial Day Program. He encouraged everyone to participate in this event.

Councilman Barnes met with the Parks and Recreation Committee on March 23. They were now fully staffed and awaiting approval of PARC tax funds at this meeting.

Councilman Barnes was impressed with the citizens who serve the community by their volunteering their time, efforts, and expertise and not expecting anything in return.

Councilman Bowen echoed Councilman Barnes' comments regarding volunteers.

Councilman Bowen stated that the Beautification Committee met where they talked about

the cemetery expansion project and the possibility of designating a heritage tree being donated for the cemetery.

Councilman Bowen reported that last Tuesday he had the opportunity to attend the caucus where he and Councilman Shelton were both nominated for the same position. In the end, Councilman Bowen found that he had won. He commented that it was a unique experience and Councilman Shelton did a good job running the meeting.

Councilman Shelton commented that he had a great opportunity to work with the Steel Days Committee and he was impressed and appreciative of their work. He was looking forward to the Steel Days activities and was excited to work with Nadine Milham.

Councilman Shelton attended the Daddy Daughter Dance put on by Miss American Fork. It was a neat experience and a well-attended event. There was a nail painting station where dads were able to paint their daughter's fingernails and daughters could paint their dad's fingernails. Miss American Fork has to raise a certain amount of money for the Miss Utah Pageant and the money raised goes to the Miracle Network. Miss American Fork was able to raise double the amount she needed to.

Councilman Shelton expressed his love for Richard Colborn and all he has done for him. He attended his first council meeting with Mr. Colborn as a scout. He has been impressed with him and how he diplomatically carries out his duties as City Recorder. Mr. Colborn has never taken sides and has always fulfilled his duties the best he could. He would be greatly missed. Councilman Shelton thanked Mr. Colborn for his service.

Councilman Shorter welcomed Timpanogos Arts Foundation members in attendance.

Councilman Shorter also wanted to thank Mr. Colborn for all his help as he ran for City Council. He admired him and commented that Mr. Colborn was steady and does his job well. It has been experience working with him.

Councilman Bowen also wanted to congratulate Mr. Colborn on his retirement. When he came into the City Council, the battle had been contentious. He has trusted Mr. Colborn from the start and he has trusted him from the start. He has a wealth of knowledge and has served through many different administrations and Councils. He does a great job as City Recorder in understanding and capturing the discussions. He appreciated his service and noted Mr. Colborn would be missed.

5. MAYOR'S REPORT

Mayor Hadfield reported that the City signed re-issuance of General Obligation bonds. In 2007 and 2008 they bonded for pressurized irrigation at a rate of 5.25%; this last week they signed at 2.7% on those same bonds. Over the life of the bonds they would save about \$4.8 million.

Mayor Hadfield also wanted to recognize Mr. Colborn for his service for the last 37 1/2 years. Mayor Hadfield has had the opportunity to work with him over the last 25 years when Mr. Colborn served as the Planning Administrator and the City Recorder. He wanted to recognize him for his service and his wealth of knowledge. He asked Mr. Colborn and his wife, Nyla Colborn, to stand as those present gave them a round of

applause and a standing ovation.

COMMON CONSENT AGENDA

1. Approval of the March 3, 2016 work session minutes
2. Approval of the March 8, 2016 City Council minutes
3. Approval of the City bills for payment and purchase requests over \$25,000

RESULT:	APPROVED [3 TO 1]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen
ABSENT:	Brad Frost

ACTION ITEMS

1. REVIEW AND ACTION ON THE APPOINTMENT OF NADINE MILHAM TO THE PARKS AND RECREATION COMMITTEE AND BRUCE FRANSDEN TO THE CEMETERY COMMITTEE

Councilman Bowen moved to appoint Nadine Milham to the Parks and Recreation Committee and Bruce Frandsen to the Cemetery Committee. Councilman Shorter seconded the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carlton Bowen, Councilman
SECONDER:	Jeff Shorter, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

2. REVIEW AND ACTION ON A RESOLUTION AMENDING THE TRANSPORTATION ELEMENT OF THE AMERICAN FORK CITY GENERAL PLAN IN ORDER TO ELIMINATE A COLLECTOR CLASS ROAD AT APPROXIMATELY 1190 EAST BETWEEN 1100 NORTH AND NORTH UTAH COUNTY BOULEVARD (REQUESTED BY DALE GOODMAN, PUBLIC WORKS)

Mayor Hadfield stated that this was a recommendation by the Planning Commission. They have the transportation expert in attendance if they have any questions. They have now been able to get the Smart property in for annexation and would be able to connect 700 North to 1100 North at about 1280 East and it would carry the same amount of traffic without the dogleg into the middle of the Temple. He recommended approval.

Councilman Shorter moved to approve Resolution No. 2016-03-14R adopting the amendment to the transportation element of the American Fork City General Plan and eliminate a collector class road at approximately 1190 East between 1100 North and North Utah County Boulevard. Councilman Bowen seconded the motion.

Councilman Bowen commented that 1100 North had a lot of traffic and that was where they were putting a light. He did not favor traffic signals, but there was a lot of traffic on that road that would not be able to use this dogleg and it did make sense to have the

traffic light.

Nestor Gallo reported that a recent study was done by UDOT for a traffic signal at 1100 North and North Utah County Boulevard. A signal has been warranted and by the end of the summer they would have the signal at that location.

Mayor Hadfield stated that the Smart property annexation would allow for some north-south traffic along 1280 East without having to make a left hand turn.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Carlton Bowen, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

3. REVIEW AND ACTION ON AN ORDINANCE APPROVING DISBURSEMENT OF \$48,000 FROM THE PARC TAX FUND TO THE TIMPANOGOS ARTS FOUNDATION AND \$18,843 TO AF PARKS AND RECREATION TO RE-LOCATE THE HORSESHOE PITS *(Requested by Richard Colborn, Recorder)*

Mayor Hadfield explained this was a recommendation from the PARC Tax Committee to disburse the money collected from April to June of 2015. This would support the Arts Foundation and one project from the Parks and Recreation committee. The money received must be obligated before June 30, 2016.

Councilman Shelton understood that this was for the funds collection April to June 2015 and he questioned when the next allocation would take place. Dale Gunther, from the PARC Tax committee, explained that these funds came in the last fiscal year; the current fiscal year applications are due March 31 where they would be considered by the PARC committee for a decision. That would then go to the City Council for final approval. Councilman Shelton clarified that this would take place once a year and Mr. Gunther stated that was correct.

Councilman Shelton commented that when the Council received the reports, he would like to see minutes attached to the requests so they can see what the committee was looking at and how they came up with their decision. Mr. Gunther stated they would do that in the future.

Councilman Barnes stated the next go around would be through the end of June, 2016. He understood that the funds collected from 2015 had to be allocated before June 30, 2016. However, he was concerned that if they had to disburse the funds by June 30, it would be before they knew exactly how much they had to disburse. Mayor Hadfield explained that they would have the exact amount of how much was collected for the fiscal year prior to the disbursement date. Councilman Barnes did not want to allocate the funds before they had the final numbers. Mayor Hadfield stated they would have the State Tax Commission provide the City with the correct numbers.

Mr. Whitehead stated it was confusing in that the sales tax year does not end at June 30. The July and August receipts show tax revenue from the previous fiscal year.

Councilman Shorter moved to adopt Ordinance No. 2016-03-12 approving the award of \$48,000 to Timpanogos Arts Foundation and \$18,843 to AF Parks and Recreation to re-locate the horseshoe pits from the PARC Tax Fund. Councilman Shelton seconded the motion.

Councilman Shelton thanked the PARC Tax Committee for their work on this.

Councilman Bowen stated that he opposed the PARC tax when it was approved and he still opposed it. When it was approved, he proposed they offset the property tax by what was collected by the sales tax. He commented that the PARC tax has taken in more money than what was projected. Councilman Bowen also wanted to talk about the allocation to the Timpanogos Arts Foundation. He was concerned that so much of their funding came from American Fork City. They were set up separate from the city as a 501C3 so they could fundraise on their own and not rely on the city. Councilman Bowen was concerned that the purpose for that was getting lost. He felt they did a lot of great things, but if they could not afford to do all those things then they should consider scaling back. He thought the service hours were great. When his family participates in the arts events, they pay for them to be involved in those activities. His concern was twofold: the size of the dependence on city funding and the direction of going to more city funding rather than less city funding.

Councilman Shelton stated that as he looked at the profit and loss statement for 2013, it appeared that the City grant was only \$26,000 while individual business contributions was \$46,000. He did not see that they were supported by the City. Having been on the Council when the City separated from themselves from the Arts Council, the city had saved a significant amount of money. For 2014, the contributions from the City was \$18,000 while business contributions were \$41,000. He thought they did a great job providing opportunities for citizens to participate. Councilman Shelton stated he was grateful they were able to allocate the money from the PARC Tax rather than the General Fund. He supported them in their efforts.

Councilman Shorter noted before it was city money that went into their funds, but now they have to apply for PARC Tax funds. The city was no longer using budget money for the activities.

Councilman Bowen stated that he did not think funding of the arts in general was the appropriate role of the government.

Mr. Gunther asked if Councilman Bowen had looked at the amount of money the city spent on recreation and athletics in comparison to what is brought in. Councilman Bowen stated that he does look at that and does realize it is subsidized a little bit but not a lot.

Mayor Hadfield stated the PARC Tax Committee was very involved in getting the tax passed. He stated that not everyone who shops in American Fork lives in American Fork. He spoke to several car dealerships who reported to him that for every twelve cars sold, only one car is sold to someone with the 84003 zip code. The beauty of the PARC Tax was that everyone who shopped in American Fork helped American Fork residents with parks, arts, recreation, and culture.

RESULT:	APPROVED [3 TO 1]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen
ABSENT:	Brad Frost

4. REVIEW AND ACTION ON A PROGRESS RELEASE FOR THE PERFORMANCE GUARANTEE IN THE AMOUNT OF \$411,800.00 FOR IFA AF COMMERCIAL SUBDIVISION LOCATED 900 WEST 500 NORTH *(Requested by Dale Goodman, Public Works)*

Councilman Shelton understood there was an issue with residents concerning fencing and asked where this release came in. Dale Goodman stated as with any project, there was bonding that took place so that any public infrastructures would be assured in being completed. As those items are completed, some of the bond money was returned back to the developer. This was a partial release for those items that the work had been completed. For example, at this time the fence was not complete so funds were being held on that item. Mr. Goodman explained that once everything was done to the City's satisfaction, they would release those funds and then go into the durability phase where they hold 10% for one year to make sure the infrastructure remains satisfactory. He noted that there were still things that need to be done. With the changes to the site plan, that has to be reviewed by the Planning Commission and City Council; if any additional bonding needed to happen they would collect those additional funds at that time. Mr. Goodman understood that the site plan change dealt with the building and not the site.

Councilman Shelton stated that they talked about grass seed being planted in spring and asked if that has taken place yet. Mr. Goodman stated that has not been done yet but should be soon.

Councilman Shorter moved to approve the progress release of \$411,800.00 for the IFA AF Commercial Subdivision. Councilman Bowen seconded the motion.

Councilman Bowen wanted to take a minute to clarify that the more precise term would be retainer rather than bond. The City was not borrowing this money; the builder put funds on deposit with the city. When work was performed to the City's satisfaction, funds were released. He has read the documentation submitted and he was supportive of the release. He did want IFA to uphold their commitment to the neighbors.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Carlton Bowen, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

5. REVIEW AND ACTION ON AN AGREEMENT FOR THE MEMORIAL GARDENS LANDSCAPING *(Requested by Derric Rykert, Parks and Recreation)*

Derric Rykert was there for any questions. Mayor Hadfield explained that they have eliminated some of the larger items included in the overall bid and this was for \$97,453 with the company that has been installing the pavers.

Councilman Shelton moved to authorize the Mayor to sign the agreement with Mountain West Paver Specialists in the amount of \$97,453 for work to be done at the Cemetery Memorial Gardens. Councilman Barnes seconded the motion.

Councilman Shelton noted that he appreciated the hard work of the Cemetery Committee. The project was coming along well.

Councilman Bowen stated that he supported this project, but his concern was the amount of money. While they tried to get bids, it did not look like it went through formal bid process. He thought that if a project was over \$50,000 it had to go to bid. Mr. Wright, Legal Counsel, commented that he thought it had been bid out. Councilman Shelton explained that they approved an overall budget and this amount was within that budget. Councilman Shelton stated that it did go through the formal bid and this was the lowest bid; the committee had gone through what they had proposed and whittled it down to what was needed verses what was wanted. Councilman Shelton was comfortable supporting this.

Councilman Bowen stated that he was not questioning the budget; he just did not see any competing bids. Mr. Rykert stated that it was bid out, but they had to scale the project down. All of the items have been bid out in the formal bid process.

Councilman Bowen thought that originally the city was planning on doing the work to save money, but due to time constraints they were bidding the work out. Mr. Rykert explained that it was a combination of staff doing work and contracting out some areas. Councilman Bowen was okay with that, but he wanted it to go through a formal bid process. Mr. Rykert stated that this project was not just the pavers, it was a significant amount of work. City Staff has done as much as they can. Mayor Hadfield noted that they received multiple bids on the entire project with this company the apparent low bidder; they have now scaled back the work and they are proceeding a little bit at a time with the contractor.

RESULT:	APPROVED [3 TO 0]
MOVER:	Rob Shelton, Councilman
SECONDER:	Kevin Barnes, Councilman
AYES:	Kevin Barnes, Rob Shelton, Jeff Shorter
ABSTAIN:	Carlton Bowen
ABSENT:	Brad Frost

6. REVIEW AND ACTION ON A RESOLUTION TO IMPLEMENT OUTDOOR WATER RESTRICTIONS ON THE CITY PRESSURIZED IRRIGATION USERS
(Requested by Dale Goodman, Public Works)

Mayor Hadfield stated the water restriction came on recommendation from the Irrigation Committee.

Councilman Shelton asked why they needed water restrictions if the snow pack was reported to be 87%. Ernie John, the water master and President of the American Fork Irrigation Company and a member of the Metropolitan Water Board and the Water Conservation Management Committee for American For, explained that the snowpack

was at 80-90% but it was not the whole story. Those totals come from snow sites that were between 7,000 and 9,000 feet high. The two sites that pertain to the American Fork drainage were the Timpanogos Divide, which was at 7,000 feet between us and Sundance, and then the Snowbird one which was at 9,000 feet on the south side of Little Cottonwood Canyon. If they look at those numbers, they look good. However, it was reported this week that the mid-level snowpack was virtually gone because of the warm February we had. Even the south side facing snowpack was almost gone. That left them a low moisture content so when they do get the run off, it would be soaked in before we could get it. Mr. John stated that the American Fork River, since the first of January, has run at approximately 50% of normal. The Timpanogos Divide snowpack barely made it to 70%. They were still in a drought. They had been through four years of a significant drought and they were still in a low water situation which was why they recommended the water restrictions.

Councilman Bowen stated that the snowpack was at 90% and that there were the Silver Lane and Tibble Fork reservoirs. He questioned if the American Fork River was fed by Tibble Fork and Tibble Fork fed by Silver Lake. Mr. John stated that was partly correct. Silver Lake Flat was rebuilt this last year and they would be able to fill that reservoir from April 15 to June 15. However, Tibble Fork was not usable as a reservoir right now as water just flows through; it would be rebuilt in one more fiscal year and they would then be able to use that for water storage. He stated they have not reached their peak flows, but they are only at 50% of the average for this time of year. All of the other reservoirs are barely above 50% of storage capacity; it was lower than last year.

Councilman Bowen stated that Deer Creek would be recharged some with the melting of the snow pack. With the way reservoirs work, if it was full it would last through two watering years. He understood it was lower than past years, but they received a lot of water this year and he understood it was at 90% of snow equivalent.

Mayor Hadfield stated it was snowing on Timpanogos this evening. However, the majority of water out of American Fork Canyon comes out of South Fork and there was no storage on South Fork.

Councilman Shorter moved to approve Resolution No. 2016-03-15R for the purpose of immediate implementation of outdoor watering conservation measures.
Councilman Shelton seconded the motion.

Councilman Shorter thought it was good for them to think about water usage all the time.

Councilman Shelton stated that it was the same water restrictions as last year, which was watering every other day. He did not think it was an extreme restriction.

Councilman Bowen stated that his concern was thrown out last year and he would throw it out again this year. He commented that part of why they had to have water restrictions was that the system could not support the water pressure if they do not divide up the watering days. His recommendation was for the City to identify and fix the root cause and to be honest with the citizens. He felt they should make it voluntary and felt that most of the people would follow the restrictions without it being mandatory.

Councilman Shelton was not aware of any anomalies in the water system that they were not being honest about. Mr. Goodman answered that the biggest problem was storage, and if the citizens wanted to bond for \$25 million to fix the water storage then they could provide water to everyone every day. They were encouraging people to use only what they need and not use an unlimited amount of water.

Councilman Bowen clarified that before water restrictions were put in place, they were told there were problems with too many people using the system at the same time. Mr. John stated that in 2011, they had over 400% of snowpack and they had plenty of water flowing into the system. The issue wasn't pressure, it was the volume of water the city had.

Councilman Bowen commented that there was still a problem that required water restrictions. Mr. Goodman further explained that if everyone used water at the same time, they were drawing down the reservoir faster than the water from the river could refill the reservoir. In a good flow year, there was as much water coming in as there was going out. With the four years of drought, the water refilling the reservoirs was not enough to satisfy all the users at one time. This allowed them to divide the users up so they could serve everyone.

Councilman Bowen moved to amend the motion to strike the penalties and replace mandatory with voluntary. There was no second to the motion. The motion died for lack of second.

Mayor Hadfield called for a vote on the motion.

RESULT:	APPROVED [3 TO 1]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen
ABSENT:	Brad Frost

7. REVIEW AND ACTION ON A STEEL DAYS FOOD TRUCK AGREEMENT
(Requested by Richard Colborn, Recorder)

Mayor Hadfield explained this was pulled from the agenda.

8. REVIEW AND ACTION ON THE APPROVAL OF A LEASE AGREEMENT
BETWEEN AMERICAN FORK CITY AND SUNBELT RENTALS FOR A 1000KW
DIESEL GENERATOR. (Requested by Dale Goodman, Public Works)

Mayor Hadfield explained this was looked at for emergency planning. He asked the Council to determine if it was worth \$70,000 a year for 3 years, just in case Rocky Mountain Power could not fix a power problem. Did they want to allocate the money for this when there were other needs?

Councilman Shelton stated that if they do have an earthquake, it would knock out the power and he asked if it would also knock out the distribution channel. Mr. Goodman stated there could be a disruption in the water with the water line that comes down from the canyon. However, they do have the 8 wells they could use for water assuming they

have power. If there was a minor localized outage they could go to a different well site and use that well. If there was a large power outage throughout the valley, for instance, then they would have two days of water and then they would be out. Mr. Goodman stated this generator would be to provide water in a major power outage situation. The purchase price for the same generator was \$450,000. They did not feel like they could purchase a generator at this time while they have major water projects they were working on.

Councilman Shelton stated that if Rocky Mountain Power had a major outage, he would assume that getting power to municipalities would be a higher priority than getting power to individual homes. Mr. Whitehead stated that was correct. Councilman Shelton suggested that they work on building up a savings to where they can afford to purchase the generator. Mr. Goodman stated they brought this forward for the City Council to decide as this was something that was discussed at the goal setting session.

Councilman Shorter would prefer to buy it outright at some point, but it would be nice to have an emergency generator.

Councilman Bowen felt this was an important issue. It was hard to take money from what you want today to prepare for tomorrow, however, he thought it was smart to be prepared for this type of event. If there was a major earthquake, they would not want to rely on Rocky Mountain Power to come and fix our city when there were other communities that would be in need of assistance as well. They needed to make small steps to prepare themselves. He would prefer to purchase the generator and necessary fuel to run the generator for an extended period of time. Councilman Bowen stated that alternate fuel sources were also a good idea; natural gas was cheap and it might be cheaper to generate their own power than using Rocky Mountain Power.

Councilman Bowen moved to table this item as there were no bids. Mr. Goodman noted they did get bids last year and Sun Belt Rentals came in with the lowest price. Councilman Bowen withdrew that motion.

Councilman Bowen moved to approve the generator lease.

Councilman Shelton made a substitute motion to table action on this item until they could meet in a work session with Rocky Mountain Power to discuss their plans in an emergency. Councilman Barnes seconded the motion.

Councilman Bowen did not think meeting with Rocky Mountain Power in a work session would make a difference. Councilman Shelton wanted to meet with them to discuss their plans in an emergency.

RESULT:	TABLED [3 TO 1]
MOVER:	Rob Shelton, Councilman
SECONDER:	Kevin Barnes, Councilman
AYES:	Kevin Barnes, Rob Shelton, Jeff Shorter
NAYS:	Carlton Bowen
ABSENT:	Brad Frost

9. REVIEW AND ACTION ON THE AWARD OF A CONTRACT FOR THE 1120 NORTH STORM DRAIN IMPROVEMENT PROJECT TO NOLAN AND SON CONSTRUCTION CO. (Requested by Dale Goodman, Public Works)

Mayor Hadfield explained that there were some drainage issues on 1120 North at 60 East and 80 East. This project would improve the drainage in that area and he felt this was a good move. It was noted there were bids and Nolan and Sons were the low bidder.

Councilman Shorter moved to accept the Bid submitted by Nolan and Son Construction Co. For the construction of the 1120 North Storm Drain Improvement Project in the amount of \$675,837 plus a 10% contingency of \$67,583.70 for a total of \$743,420.70 and authorize staff to proceed with the preparation of contract documents. Councilman Shelton seconded the motion.

Councilman Shelton commented he was glad they had staff in place to make sure problems such as this were fixed. Mayor Hadfield stated this had been a problem since that subdivision was completed and he was happy to see it get fixed.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

10. REVIEW AND ACTION ON SUBDIVISIONS, COMMERCIAL PROJECTS, CONDOMINIUMS, AND PUD'S INCLUDING 1) PLAT APPROVAL; 2) METHOD OF SATISFACTION OF WATER RIGHTS REQUIREMENTS; 3) POSTING OF AN IMPROVEMENT BOND OR SETTING OF A TIME FRAME FOR IMPROVEMENT INSTALLATION; AND 4) AUTHORIZATION TO SIGN THE FINAL PLAT AND ACCEPTANCE OF ALL DEDICATIONS TO THE PUBLIC AND TO HAVE THE PLAT RECORDED

- a. Review and action on the final plat of Ashley Meadows Subdivision Plat A, consisting of 33 lots and located at 900 North 900 West in the R1-12,000 and R1-9,000 Residential zones. (Requested by Adam Olsen, Planning)

Mayor Hadfield explained this was approved previously, but they found there were easements not needed on the plat and so they were there to approve the elimination of those easements.

Councilman Shelton moved to approve the final plat of Ashley Meadows Subdivision Plat A, consisting of 33 lots and located at 900 North 900 West in the R1-12,000 and R1-9,000 Residential zones and to authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording of the plat subject to all conditions identified in the public record associated with the March 2, 2016 planning commission meeting. Councilman Shorter seconded the motion.

Councilman Bowen supported the change to the subdivision, but noted that the purpose of the re-subdivision was the Sensitive Lands Ordinance. The original Ordinance was so broad that it applied to land throughout the City but was intended to only apply to the land in the south side of the town. He understood that the water tests for this subdivision

did not run into any water until they dug 15 feet down. He wanted to be upfront about the change and asked if staff could look at the ordinance. Adam Olsen explained that the Sensitive Lands Ordinance did not apply across the board; there were maps included showing the areas to be included which was mostly the south side of the city. At the time the City Engineer felt this warranted a sensitive lands designation, but further tests determined it was not needed. Councilman Bowen thanked him for the clarification.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Jeff Shorter, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

- b. Review and action on an Ordinance approving a commercial site plan for “Strangling Brothers” Paintball, located at 632 East 1500 South, in the PI-1 Planned Industrial zone. (Requested by Adam Olsen, Planning)

Councilman Shelton moved to adopt Ordinance No. 2016-03-13 approving a commercial site plan for “Strangling Brothers” Paintball, located at 632 East 1500 South, in the PI-1 Planned Industrial zone with instructions to the city recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the March 2, 2016 Planning Commission meeting. Councilman Barnes seconded the motion.

Councilman Bowen commented that while he did not understand the business name, he was grateful for the Paintball and Parkour opportunities in American Fork City. Mayor Hadfield indicated this was one of the few ways this property could be used due to overhead and underground utilities. Councilman Barnes thanked them for bringing this business to American Fork.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Kevin Barnes, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

- c. Review and action on an Ordinance approving a commercial site plan for an office building located at 525 East Auto Mall Drive, in the GC-2 Planned Commercial zone. (Requested by Adam Olsen, Planning)

Councilman Shorter moved to adopt Ordinance No. 2016-03-14 approving a commercial site plan for for an office building located at 525 East Auto Mall Drive, in the GC-2 Planned Commercial zone, with instructions to the city recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the March 2, 2016 Planning Commission meeting. Councilman Shelton seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Shorter, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

11. REVIEW AND ACTION ON ENTERING INTO AN EXECUTIVE SESSION TO DISCUSS THE PROFESSIONAL CHARACTER AND COMPETENCE OF INDIVIDUALS (*Requested by Mayor Hadfield*)

Councilman Shelton moved to enter into an executive session at 8:53 p.m. to discuss the professional character and competence of individuals. Councilman Shorter seconded the motion. All were in favor.

The City Council entered into an executive session at 9:00 p.m. (See ATTACHMENT 1).

The Executive Session concluded at 10:00 p.m.

Councilman Shelton moved to return to the regular session at 10:00 p.m. Councilman Shorter seconded the motion. All were in favor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Jeff Shorter, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Rob Shelton, Jeff Shorter
ABSENT:	Brad Frost

ADJOURNMENT

Councilman Barnes moved to adjourn the meeting. Councilman Shelton seconded the motion. All were in favor.

The meeting adjourned at 10:02 p.m.



Terilyn Lurker
Deputy Recorder